

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. (M/S) No. 86 of 2006

Khurshid S/o Sri Khalil,
R/O Village Vedpur, P.O. Piran Kaliyar,
Tehsil Roorkee, District Haridwar

..... **Petitioner.**

Versus

1. Commissioner Garhwal Division,
Camp Dehradun.
2. District Supply Officer, Haridwar.

..... **Respondents.**

Sri Arvind Vashist, learned counsel for the petitioner.
Sri Nand Prasad learned counsel for the respondent no. 1 & 2.

February 13,2006

Hon'ble B.S. Verma, J.

Heard Sri Arvind Vashisth, learned counsel for the petitioner and Sri Nand Prasad, learned Standing Counsel for State.

By means of this writ petition, the petitioner has sought a writ, order or direction commanding the respondents to decide the Appeal No. nil of 2006, Khurshid Vs. District Supply Officer, Haridwar, filed by the petitioner against the order dated 19-01-2006 passed by the respondent no. 2 with a prayer that the fair price shop in question be not allotted to any other person during the pendency of the appeal before the respondent no. 1.

In the course of arguments, the learned counsel for the petitioner submitted that the ends of justice would be served in case a direction is issued to the respondent no. 1 for expeditious disposal of the aforesaid appeal preferred by the petitioner. It was submitted that the respondent no. 1 has also not disposed of the stay application filed by the petitioner, hence it was further submitted that till the decision of the appeal, the fair price shop in question be ordered not to be allotted to third person.

Considering the facts and circumstances of the case, it is directed that the respondent no. 1 commissioner Garhwal Division, Dehradun shall decide the appeal pending disposal before him preferred by the petitioner detailed above expeditiously within a period of eight weeks from the date of production of certified copy of this order. It is further directed that the fair price shop in question shall not be allotted to any third person till the decision of appeal.

With the above observation, the writ petition is disposed of finally.

(B .S. Verma, J.)

13.02.2006.
RCP